

BAILEY ♦ KENNEDY
8984 SPANISH RIDGE AVENUE
LAS VEGAS, NEVADA 89148-1302
702.562.8820

DENNIS L. KENNEDY
Nevada Bar No. 1462
JOSEPH A. LIEBMAN
Nevada Bar No. 10125
JOSHUA P. GILMORE
Nevada Bar No. 11576
REBECCA L. CROOKER
Nevada Bar No. 15202
BAILEY ♦ KENNEDY
8984 Spanish Ridge Avenue
Las Vegas, Nevada 89148-1302
Telephone: 702.562.8820
Facsimile: 702.562.8821
DKennedy@BaileyKennedy.com
JLiebman@BaileyKennedy.com
JGilmore@BaileyKennedy.com
RCrooker@BaileyKennedy.com

Attorneys for Defendants and Counterclaimant
RUSSELL J. SHAH, M.D.; DIPTI R. SHAH,
M.D.; RUSSELL J. SHAH, MD, LTD.; DIPTI
R. SHAH, MD, LTD.; and RADAR
MEDICAL GROUP, LLP dba UNIVERSITY
URGENT CARE

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

ALLSTATE INSURANCE COMPANY,
ALLSTATE PROPERTY & CASUALTY
INSURANCE COMPANY, ALLSTATE
INDEMNITY COMPANY, and ALLSTATE
FIRE & CASUALTY INSURANCE
COMPANY,

Plaintiffs,

vs.

RUSSELL J. SHAH, M.D.; DIPTI R. SHAH,
M.D.; RUSSELL J. SHAH, MD, LTD.; DIPTI
R. SHAH, MD, LTD.; and RADAR MEDICAL
GROUP, LLP dba UNIVERSITY URGENT
CARE, Does 1-100, and ROES 101-200,

Defendants.

AND RELATED CLAIMS.

Case No. 2:15-cv-01786-APG-DJA

**STIPULATION AND ORDER
CONCERNING FED. R. CIV. P.
30(B)(6) DEPOSITION OF THE
ALLSTATE PARTIES INVOLVING
THE COUNTERCLAIMS**

1 Defendants and Counterclaimant Russell J. Shah, M.D., Dipti R. Shah M.D., Russell J. Shah,
2 MD, Ltd., Dipti R. Shah, MD, Ltd., and Radar Medical Group, LLP d/b/a University Urgent Care
3 (collectively, the “Radar Parties”) and Plaintiffs/Counterdefendants Allstate Insurance Company,
4 Allstate Property & Casualty Insurance Company, Allstate Indemnity Company, and Allstate Fire &
5 Casualty Insurance Company (collectively, the “Allstate Parties”), by and through their respective
6 attorneys of record, stipulate and agree as follows:

7 1. On June 9, 2022, the Court entered an Order [ECF No. 435] approving a Stipulation
8 [ECF No. 434] authorizing the Radar Parties to take the Fed. R. Civ. P. 30(b)(6) deposition of the
9 Allstate Parties concerning the Counterclaims outside the close of discovery.

10 2. Following several telephonic meet and confers concerning the topics listed under the
11 Fed. R. Civ. P. 30(b)(6) deposition notice (the “Notice”), the parties agreed that certain prior
12 testimony given by Carole LaDuke, in her individual capacity, on August 10, 2021, addressed the
13 information sought by the Radar Parties through Topic No. 1 in the Notice. Currently, Ms. LaDuke
14 is the SIU litigation manager for the Allstate Parties.

15 3. Accordingly, the following portions of Ms. LaDuke’s testimony (identified by page
16 and line number) will be binding upon the Allstate Parties as if Ms. LaDuke had appeared and
17 testified in her capacity as a Fed. R. Civ. P. 30(b)(6) designee for the Allstate Parties in response to
18 Topic No. 1: 99:21 – 125:11 and 136:13 – 140:18.

19 ///

20 ///

21 ///

22

23

24

25

26

27

28

4. This stipulation is made in good faith and not to delay the proceedings.

IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD.

DATED this 27th day of October, 2022.

DATED this 27th day of October, 2022.

McCORMICK, BARSTOW, SHEPPARD,
WAYTE & CARRUTH LLP

BAILEY ♦ KENNEDY

By: /s/ Todd W. Baxter
JONATHAN W. CARLSON
TODD W. BAXTER
GREGORY S. MASON
8337 West Sunset Road, Suite 350
Las Vegas, NV 89113

By: /s/ Joshua P. Gilmore
DENNIS L. KENNEDY
JOSEPH A. LIEBMAN
JOSHUA P. GILMORE
REBECCA L. CROOKER
8984 Spanish Ridge Avenue
Las Vegas, NV 89148

ERON Z. CANNON
JENNIFER M. SMITROVICH
FAIN ANDERSON VANDERHOEF
ROSENDAHL O'HALLORAN
SPILLANE PLLC
701 Fifth Avenue, Suite 4750
Seattle, WA 98104

Attorneys for Defendants & Counterclaimant

Attorneys for Plaintiffs/Counterdefendants

IT IS SO ORDERED.



UNITED STATES MAGISTRATE JUDGE

DATED: October 28, 2022